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In re Application of	: DECISION ON
Allamanche et al	: : PETITION UNDER
PCT No.: PCT/EP99/09978	: :
Application No: 09/914,371	: :
Int. Filing Date: 15 December 1999	: :
Priority Date: 24 February 1999	: 37 CFR 1.47(a)
Attorney's Docket No.: SCHO0064	: :
For: Device and Method for Producing	: :
An Encoded Audio and/or Video data Stream	: :

This decision is in response to applicant's " RENEWED PETITION UNDER 37 CFR 1.47(a)" filed on 24 July 2003 in response to a decision by this Office dated 03 June 2003.

BACKGROUND

The decision by this Office dated 03 June 2003 indicated that the record did not support the premise that petitioner had not submitted an affidavit or declaration from a person having firsthand knowledge on the items that were sent to Mr. Niels Rump, and that it could not be concluded that Mr. Rump could not be found or reached after diligent effort at that time.

On 24 July 2003, petitioner filed this renewed petition accompanied by, inter alia, an executed declaration by Neils Rump, the remaining nonsigning inventor.

DISCUSSION

The petition states an executed declaration by inventor Niels Rump is provided, and all the requirements have been met.

The declaration is now signed by all the inventors. Accordingly, the declaration submitted on 24 July 2003 complies with 37 CFR 1.497(a) and (b).

However, the declaration of the inventors is not acceptable at this time, in that it has been improperly altered at pages 1, 3 and 4, that is certain sections have been whiten-out. See 37 CFR 52(c)(1).

DECISION

The petition under 37 CFR 1.47(a) is **MOOT**.

A proper response to this decision is a new declaration, which must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to respond will result in the abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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